The admirable moral sentiments in your Honor's direction, and the undoubted propositions of law that your Honor has laid down are, I am in a position to know, not what the Grand Jury desires to be informed in regard to. It does not bother the Grand Jury or the Grand Jury's legal adviser [Mr. Jerome] in the slightest degree to identify the ordinary commonplace forms of larceny which your Honor has so admirably defined. It is so manifest that a man who steals with the intent of stealing steals that even laymen of the stand that. The difficulty in the present situ ation lies in something which your Honor has entirely misconceived.

Mr. Jerome went on to say that there were facts and evidence in his possession which he did not believe constituted a orime, "and it can only be determined whether they constitute a crime or not by the adduction of testimony bearing on intent. There is one group of cases in which the evidence shows exactly what the Grand Jury has asked you, and your reply to them is: 'Why, gentlemen, if the men have an evil intent they have committed the crime of larceny.' The Grand Jury knows that and I have so advised them. What the Grand Jury wants to know is if they commit larceny if they have not got this felonious intent-not whether they have committed larceny."

"Most undoubtedly they have not." interrupted Judge O'Sullivan. "Their duty is to determine from the evidence before them; that is in their province."

Mr. Jerome said that what the Grand Jury wanted to know was whether there must be felonious intent or whether the facts without the felonious intent constituted a crime. He went on:

Now, the question they put to your Honor is briefly this: If these men gave these moneys a clear conversion of the money; a clear, in my judgment, misappropriation of the money (and they were sane men and knew what they were doing) and there are numerous cases of that kind-then in that case shall the Grand Jury indict?

"Felonious intent is criminal intent and "Felonious intent is criminal intent and criminal intent is to take with the intent to deprive and defraud," said Judge O'Sullivan, "and if you find that they did take with the intent to deprive and defraud you find felonious intent, you find a crime defined by Section 528, a larceny under our law."

The District Attorney explained further:

But what bothers them, sir, and bothers the District Attorney, is that in the case of People against Flack, after much discussion in the jury room, the jury came into open court and said to perhaps the most eminent Judge in criminal cases that ever sat, Mr. Justice Barrett, "What is criminal intent?" and Mr. Justice Barrett, defining it in the way that I always supposed to be a sound and proper legal definition, said: "If he, a defendant, has no moral seuse or is ignorant of the law, he is still guilty if he does the unlawful act and is a same man, and further, that if he knows the nature of his act and the act is prohibited by law and does it he has felonious intent." But the Court of Appeals said that is not the law.

Judge O'Sullivan replied that he did not think it was so much the business of the jury to decide what was the intent in giving the money as in taking it. Said Mr. Jerome:

It is impossible that I can concur in the which I am very sorry. The law imposes upon me the obligation of advising the Grand Jury. This matter is susceptible of definite ascertainment. A member of the firm of J. P. Morgan & Co., George W. Perkins, vicepresident of the New York Life, with entire frankness has testified on the stand that he gave to Cornelius N. Bliss, the chairman and treasurer of the national committee of the Republican party, the sum of \$48,000; that he was reimbursed out of the funds of the New York Life for that, and that he took the money knowing it to be the funds of the New York I select the case of George Perkins not

because it is unique—the executive officers of most of the financial institutions of the city all have done similar acts, which acts should be prohibited by law. The question before us is. Are they prohibited by law?

Mr. Jerome cited instances in which udges of courts of record had sat as Magis-

The legal proposition is now before this court that makes George Cortelyou a receiver of stolen goods: it makes Cornelius Bliss, an honored citizen of this community, who was respected when many were mere children, a receiver of stolen goods. Now the facts are all within my power to present to-morrow, Saturday, I will be there, if your Honor will consent to sit, in view of he importance of this case, as a Magistrate; will lay before your Honor these facts em-

died in the form of depositions. The witnesses will come before you and rar to these depositions, and if your Honor ds the defendant, and the Supreme Court not deliver him on the writ of habeas ous and certiorari, the duty of the legal iser to the Grand Jury and the duty the Grand Jury will be very plain.
say the importance of this case, because

the facts are so well known in this community that I presume there is not a financial institution, probably, in this city, some of whose officers would not be declared by such a decision to be felons. I can conceive hardly any problem, legal problem, arising in any community which presents in its far reaching results a graver and a more important question of law than the one which eithin entire propriety a Judge of the highest court and of the highest eminence would dt to consider.

I ask for the privilege of submitting to our Honor as a Magistrate the case of the People against George Perkins, based on the facts such as are set forth in the presentment of this Grand Jury, in order that we may have a decision which will be binding alike upon your Honor, upon the legal adviser to the Grand Jury and all Grand Juries of this county.

Judge O'Sullivan replied that as it had become almost a universal custom for individuals and institutions to contribute to political campaign funds with the approval of their fellow citizens. "No one feels more reluctant than I in now turning the pro-visions of the law toward these men." He

It seems to me, and I feel it keenly, that there would be something of an injustice, even though the law were plain upon the facts, now to put under its bitter penalty men who have done no more than they, throughout the history of our country, and concerning whom and about whom nothing was ever done; but, sir, living in the higher atmosphere of the law as a Judge, it is my duty to say to this jury what the law is, and that you have been as honest in your desire to determine what it is.

Judge O'Sullivan said that Mr. Jerome's long experience in criminal law m ght possibly lend more weight to his opinion, but he couldn't see why one of the fourteen other magistrates shouldn't sit. Of late, he said, the District Attorney had been expediting justice by taking cases from the magistrates to the Grand Jury, and

the magistrates to the Grand Jury, and why change about in this instance.

"You ask that question to be answered?" said Mr. Jerome, jumping to his feet.

"In a moment," said the Judge. "There is nothing so unusual about the fact that men whom we know may have been, if you please, unaware of it, guilty of felony; but I do not see why this unusual commotion should have been made. I do not see why a hypothetical question in the first instance should have been advanced to the Judge of the court."

he Judge of the court the Judge of the court."

Judge O'Sullivan then said he had been working hard all month, and suggested that the matter be put up to Recorder Goff. But if the other magistrates refused he would always be ready to do his duty.

"This is an extraordinary and quite the street of the support of unusual situation that we have confronting us in this town," said Mr. Jerome. "I am not one of those, whatever your Honor's

WOU write a letter to Jones I enclosing a statement of his account. The letter should be in purple copying ink, the statement in black record, the credits

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opinion may be, that think that prescrip tions in the commission of felony should be No one has more regard for your honesty

and ability than I," said Judge O'Sullivan.

"If these men have stolen the morrey
of widows and orphans," insisted Mr.
Jerome, "the habit of stealing is not to be Jerome, "the habit of stealing is not to be recognized in the criminal court, and the place for them is behind the bars. But if Cornelius Bliss and George B. Cortelyou are not receivers of stolen goods, if George W. Perkins and a number of men prominent all through this city are not felons, it is something worthy of the highest ability to determine that question."

"If I were innocent of such a circumstance I would want a jury of my fellow citizens to declare it," announced the Judge, pounding his desk.

"You would want to be indicted in order that you might be tried?" inquired Mr. Jerome.

"I should be if I was innocent," said Judge O'Sullivan. "No man is seeking indictment." Then said Mr. Jerome. I do not think any one wants to be indicted.

Other men of long service and eminent ex-perience have submitted to sit as Magistrates. want to put the proposition. Your Honor as in substance so charged this jury that if they take your advice rather than mine they will indict these people, and I want to place this thing before so serious a step is taken where a court of final resort can pass on it.

The instant that your Honor backs your expressed judgment by the arrest of these men a writ of habeas corpus will go out, and in order that it will be argued by the highest egal ability, the best poised judgment of judicial experience that there is, I shall engage Judge Alton B. Parker upon behalf of the people to present it to the Supreme Court. So you will see that all the interests of the people will be adequately safeguarded. submit these depositions to you as a Magis;

"No, for the reasons already given," said Judge O'Sullivan positively.
Then Judge O'Sullivan dismissed the
Grand Jury. There was quite a stir in the
court, which Judge O'Sullivan immediately
adjourned, although it was early in the

William Rand, Jr., counsel for the officers of the Mutual Reserve Life Insurance Com-pany indicted for forgery and larceny, appeared before Judge O'Sullivan in appeared before Judge O'Sullivan in General Sessions yesterday and made a motion to inspect the minutes of the Grand Jury. He said he understood that illegal evidence had been introduced and his clients had no means of knowing the evidence against them, as there had been no hearing before a Magistrate. He also raised the point that Lawyer Joseph, who was counsel for the Mutual, had also acted as counsel for the officers, and that it was a question whether he could divulge in-formation between counsel and client.

District Attorney Jerome opposed Mr. Rand, who was formerly his chief of staff. He said that the officers, Frederick A. Burnham, George Burnham, Jr., and George D. Eldridge, had a chance to be heard, but declined. Judge O'Sullivan reserved decision until April 3.

NO PROXY CAMPAIGN, SAYS ORR. Untermyer Reiterates His Charges and

Speaks Up for Lawson. President Alexander E. Orr of the New York Life Insurance Company said yesterday that the charge made by Samuel Untermyer that \$50,000 or \$60,000 of the policyholders' money had been spent in campaign. ing for proxies to reelect the present management was untrue.

"I am informed by members of the executive department," said Mr. Orr, "that we have not sent out a single letter to a policyasking for a proxy since th which the Armstrong committee bills were introduced. I think that was February 23, and I am reliably informed that since that data there have been no letters issued. All that has been done is that agents in the regular operation of business have asked for proxies, and this was done absolutely

without any expense to the company." Mr. Orr also denied the charges made by Thomas W. Lawson that the company has been giving policies away in return for proxies and that there has been a lot of rebating since Mr. Orr became president. Mr. Orr said that he had sent representatives to Roston to make a thorough investigation of Lawson's charges.

Samuel Untermyer, when he heard that Mr. Orr had denied his statements in regard to the New York Life's proxy campaign. said:

is sadly out of touch with what is transpiring in the chief executive offices of his company in New York. Perhaps he would do well to make a few inquiries before issuing further statements.

Long after the Armstrong bills were introduced into the Legislature and during the month of March the country has been flooded with requests for proxies issued from the branch agencies of the New York Life enclosing stamped envelopes with the name of the agency printed upon them. These papers have been mailed back to the committee by indignant policyholders in great

It would be a surprise to us to learn that this enormous expense has been incurred by the agents out of their own pockets. If Mr. Orr will refer to the telegrams that were sent, last week from the home office of his company in New York by Mr. Buckner, the vice-president, he will find that in those telegrams Mr. Buckner urges the agents to renew their campaign for proxies.

It may be that Mr. Buckner is also acting

on his individual responsibility and without expense to the company. If so, it would quite a new departure. In the light of past events the policyholders may perhaps be pardoned for being skeptical on that subject. Possibly Mr. Orr is drawing nice distinctions between requests for proxies that are being conducted by telegraph and those by letter, although we are satisfied that both methods were diligently worked from the head office until last week.

Mr. Untermyer also denounced the mutual companies for intimating that Thomas W. Lawson is behind the international policyholders' cormittee, of which

mational policyholders' contracted, of which
Mr. Untermyer is counsel.

"The purpose of the existing managements of the New York and Mutual Life
insurance companies in trying to connect
or identify Mr. Lawson with the international policyholders' movement," said Mr.
Untermyer, "is too transparent. Mr. Lawson has no relations or connections whatvers directly with the conever, directly or indirectly, with the com-mittee or with our movement. My own at-titude toward M. Lawson is well known. Whatever may be our controversies or other differences I am bound to admit that in this life insurance business he seems to have acted from a commendable public spirit. For reasons of our own we declined to be identified with his movement. as is well known, and that has continued and will continue to be the attitude of our

committee. Stuyvesant Fish said yesterday that he had not as yet committed himself to any exisiting policyholders committee. He

"There will be more reason for an active movement tooking to the election of new insurance director, when the Legislature shall invalidate the proxies already given JEROME ASSAILS HIS CRITICS. in exploiting him in headlines and banging him as barry as it could.

and provide a means whereby the policyand provide a means whereby the policy-holders may elect new boards.
"In the absence of such legislation, the present boards, with the proxies they are said to have already in hand, could in all probability elect whom-sever they choose; but in any event those avoring a new policy could elect but a small minority of the boards, and the companies would remain under the control of the present managements.

"There are men in several boards who ought to be retained; there are men who have retired from them who should be returned. But legislation should be adopted to permit the policyholders to make a change if they desire."

they desire."

Members of the Armstrong committee met again yesterday with coursel for the committee and continued their work of revising the bills. It will probably be several days yet before the work is completed.

TULLY EULOGIZES JOHN M'CALL. The Senator Says Insurance Bill Will Pas

as It Stands, Except Section 98. ELMIRA, N. Y., March 29. - Senator Tully ddressed the Current Topic Club here tonight on the life insurance investigation, describing the scope of the Armstrong committee and its origin. He defended Gov. Higgins for sincerity in delaying the legislative investigation until after the Hendricks

report on the Equitable. Eulogizing the late John McCall, he said:

"He was the ablest insurance man who came before us. His knowledge was marvellous, and at all times was he ready to answer frankly questions propounded. At a private hearing he gave us information which aided us in clearing up the mysteries of the system. He told us he appreciated that our efforts would rid insurance corporations of a pernicious evil. He made a porations of a pernicious evil. He made a clean breast of it and I am sure was sincere. As to Andrew Hamilton, who now has the centre of the stage, I hope he will keep right on talking. He is shedding much new light on the system."

The Senator said that although tremendous influence for changes in the proposed.

dous influence for changes in the proposed bill is being brought to bear by insurance officers, including Paul Morton, the bill will go through as it now stands, with the exception of Section 98, relating to com-pensation of agents, which will be altered in favor of the agents.

Yale to Teach Reformed Insurance.

NEW HAVEN, March 23 .-- A new policy in the courses in insurance has been decided upon by the Yale faculty. Heretofore all the instruction has been given by instructors furnished by the insurance companies. The faculty has decided to choose

its own instructors.

For next year Lester W. Zartman has been chosen to take charge of this department. He has made a study of the recent insurance investigations and the results of his researches will be presented at Yale.

DIES ON HIS YACHT.

John S. Loomis of Brooklyn-Was on Pleasure Trip in the South.

John S. Loomis of 817 Carroll street Brooklyn, president of the lumber firm of Loomis & Co., died vesterday on his yacht Saramar, near the island of St. Simon, in the harbor of Brunswick, panied by his youngest son, Harry, and the wife of the latter. Mr. Loomis had gone South on a pleasure trip. Their destination was Jacksonville, Fla. His death was caused by heart disease and it came sud-Mr. Loomis was born in 1825 in Northum-

Mr. Loomis was born in 1823 in Northumberland, Pa. After attending the village school he went to work as a carpenter's apprentice. In 1847 he moved to Brooklyn and followed his trade until 1869, when he started the firm of Loomis & Co. His sons, Guy and Sherman Loomis, are the other

members.

Mr. Loomis was a member of the Society of Old Brooklynites, the Brooklyn and Montauk clubs and of the Lumber Trades Society of New York. The body will be brought to Brooklyn.

PRICE COURT-MARTIAL ENDS. The Accused Major Recalled to Explain His Up-State Conduct.

Major David Price of the Coast Artillery, who is being tried for neglect of duty, due to intoxication, was called to the witness stand again yesterday by the court-martia in the Army Building, although the prosecution closed its case on Wednesday.

The Major was asked by Judge Advoreport of his failure to inspect the State troops in Syracuse, Albany and Troy. The Major replied that he thought at the time that he had missed only one inspection and could catch up in Troy. He said that he was not in full possession of his mental faculties while staying at Syracuse. He also reported his statement that he had he also repeated his statement that he had had taken any intoxicating liquors while in that city

After considerable questioning the Judge After considerable questioning the Judge Advocate asked permission to submit as evidence the report which Major Price made to Gen. Mills accounting for his physical incapacity while in Syracuse, on the ground that it contradicted statements the Major had made before the court.

Lawyer Le Barbier objected, but the court decided that the paper should be read, the text not to be made public.

In the report the Major said that he had gone to the Vates Hotel and then had gone

gone to the Yates Hotel and then had gone out for a glass of malt. In his testimony he declared that he had had the malt before going to the hotel. In explaining the discrepancy the Major said that the statement in the report referred to an incident the day after his arrival.

Major Bridgernan summed up, for the

Major Bridgeman summed up for the rosecution, touching incidentally on the gality of the pledge of total abstinence legality of the pledge of total abstinence which the Major is alleged to have broken. Mr. Le Barbier replied for the defence. The papers bearing on the case will be sent to Gen. Grant as soon as they can be

MRS. ROWELL EXPLAINS

That She's Not Christian Scientist-Her Religion the Christ Life.

Rowell, a trained nurse, called at THE SUN office yesterday to deny certain statements made by Dr. Frank E. Shaw concerning her treatment of six-year-old Miriam Flagler of 471 West 145th street. Dr. Shaw said that Mrs. Rowell had not given the medicines he had directed and had proved to be a mental scientist.

I am not a Christian Scientist or a mental "I am not a Christian Scientist of a mental scientist," said Mrs. Rowell. "My religion is the Christ life. I was brought up an Episcopalian and still belong to that Church. I tried to surround the child with the proper influence, and the statement that I did not give the child the doctor's medicines is untrue. The child was asleep most of the time and I did not give her medicine then. I opened the window in the sick room for ventilation and covered the child up while

I was graduated in 1896 and have been nursing for ten years, and this is the first complaint I have ever had. I have been friend who is a Christian Scientist, but I have not accepted Christian Science or become a healer."

Chauffeur Purdy Held for His Gun. Edgar Purdy, the automobile driver who was arrested on Wednesday night on the complaint of Mrs. Isabelle Delmont of 11 East Thirty-second street that he had complaint of Mrs. Isabelle Delmont of 11 East Thirty-second street that he had threatened her life, waived examination vesterday when brought before Magistrate Barlow in the Jefferson Market police court. He was arraigued only on the charge of carrying a loaded pistol. The Court held him for Special Sessions in \$500 bail.

New York Capital in Ten Million Dollar

Utilities Merger. MOLINE, Ill., March 29 .- The identity of the Fastern capitalists interested in the recent \$10,000,000 merger of public utilities, in which George Kobusch of St. Louis is interested, was appounced to day. They terested, was announced to-day. They e N. W. Halsey & Co., Mackay & Co. and G. White & Co., all of New York city.

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SCORES PARKER AND MAGAZINES IN AFTER DINNER BLAST.

Denounces Those Who Would Have Him Get Insurance Convictions Without Proper Evidence Reform Hysteria Run Mad Guest With Hughes of Delta U. Men.

District Attorney Jerome hit out at his ritics last night. Standing behind the speakers' table at the Delta Upsilon dinner at the Savoy Hotel and facing 500 of his fellow fraternity members, who had shouted themselves hoarse for him, Mr. Jerome made a speech which for bitterness has probably never been equalled at any public banquet.

It was not alone his own critics that Mr. lerome went for last night. He also assailed with equal bitterness the magazine exposers for defaming their country and bringing on a reign of what he described as hysteria. But it was when he came down to critics of himself that Mr. Jerom had the most to say. He attacked the newspapers first and

followed this with an attack on Judge Parker and others who, he said, had in the craze of the moment seemed to have lost their senses and wanted him to do things without evidence.

"It is because a Grand Jury would indict these men with or without evidence," he said, "that there is one public official in New York to-day who will not permit them to indict without evidence." Mr. Jerome's speech came after Charles

E. Hughes, who shared the honors of the

evening with him, had left. It directly fol owed a speech by Erman J. Ridgeway of Everyboay's Magazine, who had told the gathering that they did not realize how rotten everything is." This is Mr Jerome's speech: "I have one regret-that Mr. Hughes

for whom I have both honor and respect, is not to be with us to hear what I have to say. It is an easy thing to conduct an investigation for a legislative committee. Every man is at the mercy of his counsel. But the magnificent self restraint, the loyal, manike way in which Mr. Hughes conducted, never for one moment descending cheap claptrap plays, can never be for No tribute adequate enough can be paid no tribute adequate enough can be part
to him. He had ever before him the approbation of his professional brethren
and not the approbation of the yellow press,
and that," said Mr. Jerome, becoming
more earnest, "brings me to that situation
now confronting us about which I want to
any a word as to our duty as educated men

say a word as to our duty as educated men toward public opinion.

"Public opinion goes hither and thither like a ship, but in the long course of time it is sweet and sane and sound and will make its port: but it lies on you to see to it that its tacks are no longer than they ought to be. It is wasted power, that sentiment of the community that goes up one trail and back again to another. To-day all through this nation what do we find—a case of sheelule hysteris.

of absolute hysteria. of absolute hysteria.

"Gentlemen, no nation ever built its national life on the warp and woof of perjury, tort and largemy; and yet to-day you would think this great country we love was setting its course on this foundative was setting its course on the foundative was setting its course on this foundative was setting its course on the foundative was setting its course of the foundative was setting its course on the foundative was setting its course on the foundative was setting its course of the foundative was setting its course was setting its course of

"David Graham Phillips is now writing about the 'Treason of the Senate' for a magazine. Treason is an ugly word. It is punishable by death. We have got so used to superlatives that our own racy tongue has become debauched and we have no superlatives left. The Sonate of the United States—is it a treasonable body? A body that holds a man like Murray Crane of Massachusetts?

"Because some men are there who ought not to be there—some who bought the position—shall we say that the governors of our body politic are guilty of treason? Base men are there, but when in the bright, breezy sentiments of modern newspaper life you assert there is treason, you either lie or misconceive the meaning of the Eng-

lie or misconceive the meaning of the English language.

"Take this treasonable body that would strike down our national life and contrast it with your representative body swayed by popular opinion. Take the Hepburn bill. Seven men voted against it, and not a man able to understand it. But the yellows said we must have something doing, and so your popular branch said we must do something, whether we understand it or not.

"With a President who thinks every yearning can be constitutionally enacted into law, with a House of Representatives typified by William Sulzer, the Friend of the People, where would there be safety the People, where would there be safety unless in the United States Senate? "I hold no brief to defend individual

Senators, but there are many men there who were there when we were at our mothers' breasts, who love their country and would betray it no sooner than David Graham Phillips would. The railroads are bad. They ought to be checked, but not by some thing those who vote for don't understand If that is the way we are to govern give me a benevolent despotism.
"My friend Lincoln Steffens blows into a

My friend function stenens blows into a State and in three weeks has it torn up for his magazine. He is sincere, but I can't forget he wrote headlines once at police headquarters, and he can't forget it either. I have lived here all my life. I should hesitate to serve up New York as he can in the magazine here. three weeks a State he never was in before.
"I met a gentleman of large experience

on a yellow—now he's on a magazine—sad transit? He told me that they had had an editorial conference and that they had talked for two hours and hadn't been able to find anything bad enough to expose. Then they woke up and thought perhaps that there was some good left, and determined to build up their magazine on that

basis.
"I met Mr. James Bryce on his last visit here. His belief in our future was in refreshing contrast to the opinion of the literary freelances who, for \$4,000 per analysis of the property of the proper

literary freelances who, for \$4,000 per annum, are engaged in turning up the baseness of the American people.

"Now, gentlemen, much of this is due to the newspapers, and again not. One or two stand as vultures that seek their carrion, and seek it with a sense of recognition. The others try to be clean and right. Standing before these others, however, is the financial success of these two papers. The people demand hot stuff at so much per, and their needs are met by these publications. These papers play in the guise of leading public opinion.

"I have no words but words of praise or the honest papers. In our days criticism

"I have no words but words of praise or the honest papers. In our days criticism of public officers is right—stinging criticism if it is just. But let me illustrate concretely a type of paper that would mould public opinion and yet is actuated by base motives. Concrete illustrations come back so much better than beautiful sentiments, as I remarked to-day to a Judge.

ments, as I remarked to-day to a Judge.

"I was investigating a certain large corporation in this city, and the city editor of a paper came to me with an article in galley proof about it. The statements in the article were false. I told him that the report of my accountants, though not yet finished showed that.

the report of my accounted, though not vet finished, showed that.

"Now, it isn't a rule for city editors to visit public officials." The public officials sometimes go to them with their hat in their hand. I said it was an unqualified falsehood so far as my investigation went. The reply was that they were going to publish it anyhow. publish it, anyhow.

bublish if, anyhow.

"There was a man in those days, since become a Borough President, a yellow dog without courage. A certain man in this newspaper wrote to him. 'There is going to be something doing,' he wrote; 'go short of such and such a stock,' and this Borough President, I am informed, did so for the account of these newspaper men and then President, I am inormed, and so for the account of these newspaper men, and then in a few days the article was published, and then in a day or two the Borough President, to ingratiate himself with the strong financial elements concerned, turned over to them the letter from the city editor, and this financier had it photographed.

"And then gentlemen a certain man

"And then, gentlemen, a certain man who roams over the face of the earth and has been in many wars went to this financial gentleman and said: 'If you give us the photograph and the plate, we'll deal always with you in the future.' And this capitalist gave up the letter, and from that day to this this paper has vied with the other yellows

him as bant as it could.

"Gentlemen, these are facts; let me give you some more. Another time a great newspaper goes to a certain lawyer. You represent the insurance grafters, it said. "Turn up something on the District Attorney, show that he has interests in Wall Street and we'll say something nice in the paper." that he has interests in Wall Street we'll say something nice in the paper.' It happened that that man was a gentleman; but a shadow was cast on the whole pro-

"And in the office of that newspaper written in large letters on the wall, are the words 'Accuracy,' Terseness: Accuracy,' while city editors were speculating and going short of Metropolitan Street Rail-

going short of Metropolitan Street Railroad stock.

"Only a few days ago these papers cried that Andrew Hamilton must be brought back. He comes back and goes before the Senate Committee. He said. 'I want to show that the vellow dog is a dog with courage.' He did it bravely. He did it rightly. He stuck true to his own traditions, but it was the yellow dog who spoke it. But, gentlemen, this yellow journalism, yesterday crying for his blood, exploits him now against the men who deny his allegations.

"Take the letter from the lips of the dying McCall: 'He refused to accept the duty unless it was in secret, and I assented to that proposition.'

"And yet his words—although the meanest ciminal is always presumed to be innocent yet his words you disregard and you accept the words of such a one to stamp him and Bliss and others as felons. Is not the character of any one to count for anything in the community in which he

"How far hysteria has gone is shown by what Roger Pryor said in the newspapers this morning; swept off his feet he would feed fuel to a flame. He comes forth in an interview saying that Section 544 of the Penal Code plainly shows a crime has been committed, and yet he forgets to put in what says about trustees.
"A certain former Chief Judge of the Court of Appeals—I believe he once ran for President—goes into the South. Oh, how I have smarted under his words in the

Court of Appeals. Every man, he would say in his decisions, was entitled to his rights; therefore the prisoner must be disoharged.
"He goes down among our Southern

"He goes down among our Southern brethren and says the way to convict is to convict—note the judicial note. He says there is not a Grand Jury that would not indict these men. Gentlemen," said Mr. Jerome, bringing his fist down with a bang on the table, "it is because the Grand Jury would indict these men with or without evidence that there is one public official in New York who will not permit them to indict without the evidence.
"They would bave put Jacob Schiff in the dock. Was I mistaken when I was handed an opinion by this ex-Chief Justice that this man was not evil, but the reverse? Did he get money for that, or did he honestly

that this man was not evil, but the reverse? Did he get money for that, or did he honestly believe it? I have that opinion in my desk. So much for cheap clap-trap plays, even if they come from the Sage of Esopus.

"I am going to see that those who come within the criminal law are punished; but the way to convict is with the evidence, not, as Judge Parker says, by availing of the popular clamor. What has been the effect of this? I was informed the other night by a director of the Mutual Life that nearly one hundred millions of dollars in nearly one hundred millions of dollars in policies had lapsed in the last year. "What policies were they? Those from

policies had lapsed in the last year.

"What policies were they? Those from \$1,200 to \$3,000—the policies of the poor—had lapsed. They had taken the cries of these wild newspapers. No one could doubt that these companies are solvent as the United States Government, but they had been scared by these hounds of yellow journalism, and the poor motormen and conductors and mail carriers have let their policies lapse. The newspapers had driven from their protection the wives and children of the poor.

dren of the poor.
"Gentlemen, the real terror is not what has been told you. The real evil in this insurance situation is that some eighteen or surance situation is that some eighteen or twenty men can control hundreds of millions of quick moving assets; can sit in their club and can make the game of finance a brace game if they want to. The great evil is in that. You can't pick out eighteen or twenty men so good that the power of \$1,500,000,000 should be entrusted to them.

"I feel bitterly, my friends, in one way—
not personally, but I feel bitterly that my
people should be swept off their feet by
such circumstances as these; that educated
men should bark down the pike like halfbred curs led away by Hearst and the other
unspeakable. I don't mean Mr. Pulitzer;
bein certified and capacit check up the he is getting old, and cannot check up the actions of his hirelings. I mean that unspeakable bunch he has to rely on for the conduct of his paper.

"Are we going to resort to a government of the newspapers, for the newspapers and

by the newspapers? If so public officials will soon lose their nerve. They forget they are put in office to use their judgment and not the judgments of editors. Con-ceive how little the educated man thinks ceive how little the educated man thinks when an editor writes an editorial addressed to the District Attorney appealing to him on his reputation. The District Attorney that is moved by this commits a crime.

"Gentlemen, it is up to you. I leave with you a sentiment in which I hope you will all join in this crisis. Not halt, but steady." all join in this crisis: Not halt, but steady."

There was very little applause through
Mr. Jerome's speech. His attitude seemed

to forbid it. Occasionally, however, it broke out and at the end the diners got on their feet and gave him the Delta Upsilon yell again and again.
Mr. Hughes stayed only a short time at the dinner, because, as he explained to the committee, he was needed to work on the in-surance bills. When he came there was

tremendous applause. He said a few words after he had been acclaimed as "the next Governor. "I greatly appreciate this greeting," said Mr. Hughes, "but I must leave political aspirations at this time where they belong." Mr. Hughes turned toward Mr. Jerome and Lieut.-Gov. Bruce as he said this. Mr. Jerome only laughed. Mr. Hughes apologized for not being able to stay.

"I've declared dividends when I've been without before," he said, facetiously, "but to-night I'm in favor of a deferred dividend policy. A man who has been engrossed for weeks in actuarial researches is hardly able to speak intelligently on anything."

Mr. Ridgway, as president of the Delta
Upsilon Club of New York, made the first

Upsilon Club of New York, made the first speech. He talked on the magazine exposures too, but in a different way from what Mr. Jerome did later.

"I have an idea," said Mr. Ridgway, "that the general impression is abroad that some periodicals are in somewhat bad business. It's about the turn of the magazine to what's coming to us but while zines to get what's coming to us, but while we're getting it I don't think we'll keep as still as some people who have been

getting it from us.

"Back of all this publicity for high crimes and misdemeanors there is purpose beyond advertising. If the newspapers want to connect us with anarchists and socialists, very well, they can put us in that class, but I'd rather be with them than with dead

heads doing nothing.
"You don't realize, gentlemen, how rotten it is. I had a man working for eight months on the United States Senate with a view of preparing a series of articles. I gave it up. The situation was so horrible that I didn't want to be the one to give it to this country."

There were some "ohs" when Mr. Ridgway

There were some "ohs" when Mr. Ridgway reached this point. Several men started to applaud and stopped short.

"Take Steve Elkins," Mr. Ridgway went on, now, and then looking at Mr. Jerome, as if he divined what was coming later.

"Do you know he got his education at a theological seminary by pretending he was going to be a preacher. Afterwards he said he'd just gone there to get an education. In the war he didn't know what side to enlist on. Take this men Lodge—"

At this point Mr. Jerome said something under his breath, but loud enough for Mr. under his breath, but loud enough for Mr. Ridgway to hear. Whether it was this or not. Mr. Ridgway suddenly took up an entirely different line—the affairs of the society. He raised a great cheer before he sat down by referring to Mr. Jerome as a man "with his heart on the left side, his head balanced in the middle and his blood

red, according to the white man's stand Starr J. Murphy was the toas master of the dinner. He made a short speech and then introduced Mr. Jerome. Lieut.-Gov. M. Linn Bruce also spoke.

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KILEY IS STILL IN HIDING.

SUPPOSED TO BE WITH FRIENDS IN OR NEAR THIS CITY.

Belief That He Will Disappear From This Vicinity for Good-District Attorney Clarke Is Convinced That He Has No Jurisdiction in the Bigamy Case. The whereabouts of Thomas W. Kiley, the banker and hardware merchant of Brooklyn, who went into hiding on Wednes-

day afternoon directly after the story of his career as a bigamist and his confession of the same were made public, still remained undiscovered yesterday. 'Of the many persons who might naturally be supposed to know something of the missing admit any knowledge of them. Nor have the detectives who were detailed to find him been able to trace him after his departure from the North Side Bank in Williamsburg early Wednesday. His letter sent to the cashier of the bank on Thursday, tendering his resignation as president, showed that he was alive on that day, and not at a remote distance from the bank. Very few persons now entertain the suspicion that the astonishing disclosures of his double life had driven him to suicide, and it is generally believed that he is in hiding not far from the city, deliberating with some close friends as to his future course. It is the impression of one of his most intimate friends that he will wind up his business affairs as rapidly

as possible and disappear from Brookly for good. The sup supposition that he was in conceal ment at the house of Mrs. Colt, wife at 216 Brooklyn avenue was dispelled ye

at 216 Brocklyn avenue was dispelled yesterday by the emphatic statement both of Mrs. Colt herself and her son. Henry Colt, to the contrary. Mrs. Colt said:

"I want it understood plainly that Mr. Kiley is not here. He is not here and I do not know where he is. Nor do we care to know where he is. We are not interested in him one way or the other."

Nothing in reference to Mr. Kiley could be learned at the Jefferson avenue house, where he lived with wife No. 1 and her two sons. The latter said they knew nothing whatever about their uncle's movements. It was reported yesterday that Mrs.

whatever about their uncle's movements. It was reported yesterday that Mrs. Colt had retained a lawyer to bring suit for the annulment of her marriage to Kiley. District Attorney Clarke said last night that he was convinced he had no jurisdiction in the case, and if any prosecution for bigamy took place it would have to be instituted in Indiana, where the crime was committed. Should the Indiana authorities decide to prosecute, Mr. Clarke will cooperate by having Kiley arrested and held to await extradition. and held to await extradition

t was discovered yesterday that Kiley de some important real estate transfers within the past twelve years which may be declared void, as he described himself The directors of the North Side Bank will meet this morning to act on Kiley'

PROMISE GRAFT PROSECUTIONS.

Philadelphia Reformers Say They Will Bring Criminal and Civil Suits. PHILADELPHIA, March 28 .- The City party committee, acting on assurances by Mayor Weaver and his counsel, James by Mayor Weaver and his counsel, James Gay Gordon, promises that the city authorities will institute soon "both criminal and civil prosecutions against the corrupt and criminal combination" which is alleged to have defrauded the municipality on contracts. By this combination is meant members of the firm of D. J. McNichol & Co., which built much of the filtration system already completed; Israel W. Durham and "others."

It is asserted that John M. Mack the It is asserted that John M. Mack, the financier, who was formerly a member of the McNichol contracting firm, is protected

from prosecution, either civilly or crimi-nally. Little definite information is vouchsafed by the Mayor or his counsel. Receiver for Automobile Company. Judge Adams of the United States District. ourt has appointed Robert A. Inch receiver n bankruptcy for the assets of the Nationa Automobile Company of 205-209 East Eighty-

sixth street on the application of the Co-lumbia Lubricants Company and fixed his-bond at \$2,500. The Sheriff is in possession of the place on an attachment. The assets are about \$5,000, and there are a number of automobiles on storage which belong to other persons.

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SIR GEORGE DARWIN HERE.

Brings a Message From the British Assoclation to the Franklin Society.

Sir George Darwin, K. C. B., second son of Charles Darwin, who arrived yesterday on the White Star liner Cedric from Liverpool, has come to this country as the representative of the British Association, of which he has been president, to attend a celebration of the 200th anniversary of the birth of Benjamin Franklin, which is to be held soon in Philadelphia. He brings with him an address of congratulation from his society to the American Philosophical Society, which was founded by franklin in 1743. Lady Darwin, who was with him, is a native of Philadelphia. They expect to remain in this country about a month.

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